

OFFICIAL

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AUGUST 1991

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OMB No.: 0938-

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT

Territory: Puerto Rico

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
A. Each individual covered under the plan meets the following conditions:	
42.CFR Part 436, Subpart G <u>X</u>	1. Is financially eligible to receive services.
42.CFR Part 436, Subpart F	2. Meets the applicable non-financial eligibility conditions.
--	a. (i) Except as specified under items A.2.a.(ii) and (iii) below, for categorically needy individuals, meets the non-financial eligibility conditions of the related cash assistance program.
1902(l) of the Act	(ii) For pregnant women and infants or children with incomes up to a percentage of the Federal poverty level covered as optional groups under sections 1902(a)(10)(A)(i)(IV), 1902(a)(10)(A)(i)(VI), and 1902(a)(10)(A)(ii)(IX) of the Act, meets the non-financial criteria of section 1902(l) of the Act.
Not Applicable	
1902(m) of the Act	(iii) For aged and disabled individuals with incomes up to the Federal poverty level covered under section 1902(a)(10)(A)(ii)(X) of the Act, meets the non-financial criteria of section 1902(m) of the Act.
Not Applicable	

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TN No. 88-1

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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
Territory: PUERTO RICO

ELIGIBILITY CONDITIONS AND REQUIREMENTS

Citation	Condition or Requirement
	b. For the medically needy, meets the non-financial eligibility conditions of 42 CFR Part 436.
1905(p) of the Act	c. For qualified Medicare beneficiaries, meets the non-financial criteria of section 1905(p) of the Act.
1905(s) of the Act	d. For qualified disabled and working individuals, meets the non-financial criteria of section 1905(s).
1902(A)(10)(E)(iii) of the Act	e. For specified low-income Medicare beneficiaries, meets the non-financial criteria of section 1905(p) of the Act.

Not Applicable

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OFFICIAL

Territory: Puerto Rico

Citation

Condition or Requirement

42.CFR
436.402

3. Is residing in the United States and --

a. Is a citizen;

Sec. 245A of the
Immigration and

b. Is an alien lawfully admitted for permanent residence, or otherwise permanently residing Nationality Act in the United States under color or law, as defined in 42 CFR 435.408;

1902(a) and 1903(v) of the Act, P.L.
99-509 (Section 9406)
Sec. 245A(h)(3)(B) of
the Immigration and

c. Is an alien granted lawful temporary resident status under sections 245A and 210A of the Immigration and Nationality Act if the individual is aged, blind, or disabled as defined in section 1614(a)(1) of the Act, Nationality Act under 18 years of age, or a Cuban/Haitian entrant as defined in section 501(e)(1) and (2)(A) of Public Law 96-422;

d. Is an alien granted lawful temporary resident status under section 210 of the Immigration and Nationality Act not within the scope of c. above (coverage must be restricted to certain emergency services during the five-year period beginning on the date the alien was granted eligibility); or

e. Is an alien who is not lawfully admitted for permanent residence or otherwise permanently residing in the United States under color of law (coverage must be restricted to certain emergency services).

P.L. 99-603
(Section 201)

f. Is an alien who is not lawfully admitted for permanent residence or otherwise permanently residing in the United States under color or law.

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Citation	Condition or Requirement
42 CFR 435.1008 <u>436.1004</u>	5. a. Is not an inmate of a public institution. Public institutions do not include medical institutions, intermediate care facilities, or publicly operated community residences that serve no more than 16 residents, or certain child care institutions.
42 CFR 435.1008 <u>436.1004</u> 1905(a) of the Act	b. Is not a patient under age 65 in an institution for mental diseases except as an inpatient under age 22 receiving active treatment in an accredited psychiatric facility or program.
	<u>/X/</u> Not applicable with respect to individuals under age 22 in psychiatric facilities or programs. Such services are not provided under the plan.
42 CFR <u>433.145</u> 1912 of the Act	6. Is required, as a condition of eligibility, to assign his or her own rights, or the rights of any other person who is eligible for Medicaid and on whose behalf the individual has legal authority to execute an assignment, to medical support and payments for medical care from any third party. (Medical support is defined as support specified as being for medical care by a court or administrative order.)

TN No. 92-8 Approval Date OCT 14 1992 Effective Date JUL 1 1992
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TN No. New HCFA ID: 7985E

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October 1991

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State/Territory: Puerto Rico

Citation

Condition or Requirement

An applicant or recipient must also cooperate in establishing the paternity of any eligible child and in obtaining medical support and payments for himself or herself and any other person who is eligible for Medicaid and on whose behalf the individual can make an assignment; except that individuals described in §1902(l)(1)(A) of the Social Security Act (pregnant women and women in the post-partum period) are exempt from these requirements involving paternity and obtaining support. Any individual may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate.

--
An applicant or recipient must also cooperate in identifying any third party who may be liable to pay for care that is covered under the State plan and providing information to assist in pursuing these third parties. Any individual may be exempt from the cooperation requirements by demonstrating good cause for refusing to cooperate.

/ Assignment of rights is automatic because of State law.

436-901
42 CFR ~~435-910~~

7. Is required, as a condition of eligibility, to furnish his/her social security account number (or numbers, if he/she has more than one number).

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State/Territory: Puerto Rico

Citation

Condition or Requirement

1906 of the Act 10. Is required to apply for enrollment in an employer-based cost-effective group health plan, if such plan is available to the individual. Enrollment is a condition of eligibility except for the individual who is unable to enroll on his/her own behalf (failure of a parent to enroll a child does not affect a child's eligibility).

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TN No.

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Territory: Puerto Rico

Citation

Condition or Requirement

42 CFR 436.403
1902(b) of the
Act

4. Is a resident of the State, regardless of whether
or not the individual maintains the residence
permanently or maintains it at a fixed address.

___ State has interstate residency agreement with
the following States:

___ State has open agreement(s).

___ Not applicable; no residency requirement.

42.CFR
436.1004
1905(a)
of the Act.
--

5. a. Is not an inmate of a public institution.
Public institutions do not include medical
institutions, intermediate care facilities, or
publicly operated community residences that serve
no more than 16 residents, or certain child care
institutions.

b. Is not a patient under age 65 in an institution
for mental diseases except as an inpatient under
age 22 receiving active treatment in an accredited
psychiatric facility or program.

X Not applicable with respect to individuals
under age 22 in psychiatric facilities or
programs. Such services are not provided under
the plan.

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Citation	Condition or Requirement
42 CFR 433.145 and 436.604 1912 of the Act	6. Is required, as a condition of eligibility, to assign rights to medical support and to payment for medical care from any third party, to cooperate in obtaining such support and payments, and to cooperate in identifying and providing information to assist in pursuing any liable third party. The assignment of rights obtained from an applicant or recipient is effective only for services that are reimbursed by Medicaid. The requirements of 42 CFR 433.146 through 433.148 are met. — Assignment of rights is automatic because of State law.
42 CFR 436.901	7. Is required, as a condition of eligibility, to and 435.910 furnish his/her social security account number (or numbers, if he/she has more than one number).
1902(1)(4)(C) of the Act	8. Is not required to apply for AFDC benefits under title IV-A as a condition of applying for, or receiving, Medicaid if the individual is a pregnant woman, infant, or child that the State elects to cover under section 1902(a)(10)(A)(i)(IV) and (a)(10)(A)(ii)(IX) of the Act.
1902(e)(10)(A) and (B) of the Act	9. Is not required, as an individual child or pregnant woman, to meet requirements under section 402(a)(43) of the Act to be in certain living arrangements. (Prior to terminating AFDC individuals who do not meet such requirements under a State's AFDC plan, the agency determines if they are otherwise eligible under the State's Medicaid plan.

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Citation

Condition or Requirement

B. Post-Eligibility Treatment of Institutionalized Individuals

42.CFR
436.832

Required deductions.

The following amounts are deducted from gross income when computing the application of an individual's or couple's income to the cost of institutional care:

1. Personal Needs Allowance. \$60 . Couple
\$30 . Individual
2. For maintenance of the non-institutionalized spouse only. \$ 32.00
3. For non-institutionalized children, each family member. \$ 32.00
4. Amounts for incurred medical expenses not subject to payment by a third party.
 - a. Health insurance premiums, deductibles and coinsurance charges.
 - b. Necessary medical or remedial care not covered under the Medicaid plan. (Reasonable limits on amounts are described in Supplement 2 to ATTACHMENT 2.6-A).
5. An amount for maintenance of a single individual's home for not longer than 6 months, if a physician has certified he or she is likely to return home within that period.

 Yes. Amount for maintenance of home \$

X No.

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Citation

Condition or Requirement

1902(1) of
the Act

6. Benefits paid under AB, APTD, or AABD to blind or disabled individuals during the initial 2 months in which the individuals receive care in a hospital, SNF, or ICF if the individuals are allowed to retain the benefits under agreement with the facility; or during a temporary stay in a hospital, SNF, or ICF, if it is determined that the individuals' stay is not likely to exceed 3 months and they must continue to maintain a home to which they may return upon leaving the institution.

C. Financial Eligibility - Categorically and Medically Needy, Qualified Medicare Beneficiaries, Qualified Disabled and Working Individuals, and Specified Low-Income Medicare Beneficiaries

1. Categorically Needy Income Levels

- a. For categorically needy groups other than those specified in items C.1.b. and c. below, the financial eligibility income levels for the related cash assistance programs are applied.
- b. Supplement 1 to ATTACHMENT 2.6 specifies the income eligibility levels for the following groups of individuals with incomes related to the Federal income poverty line:

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